

### **Amendments to the Claims**

1-14. (Cancelled)

15. (Currently Amended) A method for providing forward link packet data service to a mobile ~~stations~~ (MSs) station (MS) in a mobile communication system, the method comprising:

    providing, by a source base station (BS), data for transmission to [[an]] the MS via a forward link;

    receiving an indication that the MS intends to switch from a forward link of a serving cell to a forward link of a target cell for data transmission service;

    determining ~~whether~~ that the target cell is presently available unavailable to provide data transmission service to the MS via the forward link of the target cell; and

    sending an indication to the MS that the target cell is presently unavailable to provide data transmission service to the MS via the forward link of the target cell.

16. (Original) The method of claim 15, wherein receiving the indication that the MS intends to switch comprises receiving the indication by the source BS from the MS via the serving cell and wherein the source BS comprises the serving cell and is a serving BS of the MS.

17. (Original) The method of claim 15, wherein receiving the indication that the MS intends to switch comprises receiving the indication by the source BS from a serving BS and wherein the serving BS comprises the serving cell.

18. (Original) The method of claim 15, wherein receiving the indication that the MS intends to switch comprises receiving the indication by the source BS from a target BS and wherein the target BS comprises the target cell.

19. (Currently Amended) The method of claim 15 [ , ] wherein determining ~~whether that~~ the target cell is presently ~~available~~ unavailable to provide data transmission service to the MS via the forward link of the target cell comprises receiving an indication that the target cell is presently unavailable to provide data transmission service to the MS via the forward link of the target cell.
20. (Original) The method of claim 19, wherein receiving the indication that the target cell is presently unavailable comprises receiving the indication from the target cell.
21. (Original) The method of claim 20, wherein receiving the indication that the target cell is presently unavailable comprises receiving the indication from the target cell via a BSC-BTS signaling interface.
22. (Original) The method of claim 19, wherein receiving the indication that the target cell is presently unavailable comprises receiving the indication from a target BS.
23. (Original) The method of claim 22, wherein receiving the indication that the target cell is presently unavailable comprises receiving the indication from the target BS via an inter-BSC signaling interface.
24. (Currently Amended) The method of claim 19 [ , ] further comprising:  
subsequent to receiving the indication that the target cell is presently unavailable, receiving an indication that the target cell is available to provide data transmission service to the MS via the forward link of the target cell; and  
sending an indication to the MS that the target cell is available to provide data transmission service to the MS via the forward link of the target cell.

25. (Currently Amended) The method of claim 15 [ , ] wherein determining ~~whether~~ that the target cell is presently ~~available~~ unavailable to provide data transmission service to the MS via the forward link of the target cell comprises sending an indication to a target BS that the MS intends to switch to the forward link of the target cell for data transmission service.
26. (Currently Amended) The method of claim 25 [ , ] wherein determining ~~whether~~ that the target cell is presently ~~available~~ unavailable to provide data transmission service to the MS via the forward link of the target cell comprises receiving, in response to the indication that the MS intends to switch, an indication that the target cell is presently unavailable to provide data transmission service to the MS via the forward link of the target cell.
27. (Previously Presented) The method of claim 15, wherein sending the indication to the MS that the target cell is presently unavailable to provide data transmission service to the MS via the forward link of the target cell comprises sending the indication to the MS via the serving cell.
28. (Cancelled)
29. (Previously Presented) The method of claim 15, wherein sending the indication to the MS that the target cell is presently unavailable to provide data transmission service to the MS via the forward link of the target cell comprises sending the indication to the MS via a forward packet data control channel (F-PDCCH) of the serving cell.
30. (Previously Presented) The method of claim 15, wherein sending the indication to the MS that the target cell is presently unavailable to provide data transmission service to the MS via the forward link of the target cell comprises sending the indication to the MS via a forward fundicated channel of a cell in an active set of the MS.

31. (Previously Presented) The method of claim 15, wherein sending the indication to the MS that the target cell is presently unavailable to provide data transmission service to the MS via the forward link of the target cell comprises sending a Universal Handoff Direction message (UHDM) that indicates that the target cell does not support a forward link.
32. (Previously Presented) The method of claim 15, wherein sending the indication to the MS that the target cell is presently unavailable to provide data transmission service to the MS via the forward link of the target cell comprises sending a Universal Handoff Direction message (UHDM) that indicates that the target cell is not part of an active set of the MS.
33. (Currently Amended) A method for a mobile station (MS) to maintain forward link packet data service in a mobile communication system, the method comprising:
  - receiving, by [[an]] the MS, data transmission service from a serving cell via a forward link of the serving cell;
  - determining, by the MS, to switch to a target cell for data transmission service via a forward link of the target cell;
  - transmitting, by the MS, an indication of an MS intent to switch to the target cell;  
and  
receiving, by the MS, an indication that the target cell is presently unavailable to provide data transmission service to the MS via the forward link of the target cell.
34. (Previously Presented) The method of claim 33, wherein determining to switch to a target cell for data transmission service via a forward link of the target cell comprises performing cell selection among cells from an active set of the MS that provide forward link service.
35. (Original) The method of claim 33, wherein transmitting the indication of the MS's intent to switch to the target cell comprises transmitting the indication of the MS's intent to switch to the target cell using a switching pattern on a Reverse Channel Quality Indication Channel (R-CQICH) of the MS.

36. (Previously Presented) The method of claim 33, wherein receiving the indication that the target cell is currently unavailable to provide data transmission service to the MS via the forward link of the target cell comprises receiving the indication by the MS via the serving cell.
37. (Previously Presented) The method of claim 33, wherein receiving the indication that the target cell is currently unavailable to provide data transmission service to the MS via the forward link of the target cell comprises receiving the indication by the MS via a forward packet data control channel (F-PDCCH) of the serving cell.
38. (Previously Presented) The method of claim 33, wherein receiving the indication that the target cell is currently unavailable to provide data transmission service to the MS via the forward link of the target cell comprises receiving the indication by the MS via the target cell.
39. (Previously Presented) The method of claim 33, wherein receiving the indication that the target cell is currently unavailable to provide data transmission service to the MS via the forward link of the target cell comprises receiving a Universal Handoff Direction message (UHDM) that indicates that the target cell does not support a forward link.
40. (Previously Presented) The method of claim 33, wherein receiving the indication that the target cell is currently unavailable to provide data transmission service to the MS via the forward link of the target cell comprises receiving a Universal Handoff Direction message (UHDM) that indicates that the target cell is not part of an active set of the MS.
41. (Previously Presented) The method of claim 33, further comprising, subsequent to receiving the indication that the target cell is currently unavailable, receiving an indication that the target cell is available to provide data transmission service to the MS via the forward link of the target cell.

42. (Currently Amended) A base station (BS) comprising:

- a base transceiver system (BTS) to provide communication services to a mobile station (MS), including data transmission via a forward link; and
- a base site controller (BSC), communicatively coupled to the BTS, to provide data for transmission by the BTS to the MS via the forward link, to receive, via the BTS, an indication that the MS intends to switch from the forward link to a forward link of a target cell for data transmission service, to determine whether that the target cell is presently available unavailable to provide data transmission service to the MS via the forward link of the target cell, and to send, via the BTS, an indication to the MS that the target cell is presently unavailable to provide data transmission service to the MS via the forward link of the target cell.

43. (Currently Amended) The BS of claim 42 [[,]] wherein the BSC receives an indication that the target cell is presently unavailable to provide data transmission service to the MS via the forward link of the target cell when determining whether that the target cell is presently available unavailable to provide data transmission service to the MS via the forward link of the target cell.

44. (Currently Amended) The BS of claim 42 [[,]] wherein the BSC sends an indication to a target BS that the MS intends to switch to the forward link of the target cell for data transmission service when determining whether that the target cell is presently available unavailable to provide data transmission service to the MS via the forward link of the target cell.

45. (Previously Presented) The BS of claim 42, wherein the BSC sends, via the BTS, a Universal Handoff Direction message (UHDM) that indicates that the target cell does not support a forward link when sending the indication to the MS that the target cell is presently unavailable to provide data transmission service to the MS via the forward link of the target cell.

46. (Previously Presented) The BS of claim 42, wherein the BSC sends, via the BTS, a Universal Handoff Direction message (UHDM) that indicates that the target cell is not part of an active set of the MS when sending the indication to the MS that the target cell is presently unavailable to provide data transmission service to the MS via the forward link of the target cell.
47. (Previously Presented) The BS of claim 42, wherein the BSC sends the indication to the MS via a forward packet data control channel (F-PDCCH) of the serving cell.
48. (Currently Amended) A mobile station (MS) comprising:
  - a transceiver; and
  - a computer processor having computer executable instructions therein, communicatively coupled to the transceiver, to receive, via the transceiver, data transmission service from a serving cell via a forward link of the serving cell, to determine to switch from the serving cell to a target cell for data transmission service via a forward link of the target cell, to transmit, via the transceiver, an indication of the MS's intent to switch to the target cell, and to receive, via the transceiver, an indication that the target cell is presently unavailable to provide data transmission service to the MS via the forward link of the target cell.
49. (Previously Presented) The MS of claim 48, wherein the indication that the target cell is presently unavailable to provide data transmission service to the MS via the forward link of the target cell comprises a Universal Handoff Direction message (UHDM) that indicates that the target cell does not support a forward link.
50. (Previously Presented) The MS of claim 48, wherein the indication that the target cell is presently unavailable to provide data transmission service to the MS via the forward link of the target cell comprises a Universal Handoff Direction message (UHDM) that indicates that the target cell is not part of an active set of the MS.

51. (Previously Presented) The MS of claim 48, wherein the computer processor receives, via the transceiver, the indication via a forward packet data control channel (F-PDCCH) of the serving cell.
52. (Cancelled)